

**Notice of Determination****- 1 -****To:**

Office of Planning and Research  
 For U.S. Mail:  
 P.O. Box 3044

Sacramento, CA 95812-3044

**Street Address:**

1400 Tenth Street  
 Sacramento, CA 95814

**From:**

California Department of Fish and Wildlife (CDFW)  
 Central Region  
 1234 East Shaw Avenue  
 Fresno, CA 93710  
 Contact: Steven Hulbert  
 Phone: (559) 575-6415

**Lead Agency:**

California Department of Transportation, District 6  
 855 M Street, Suite 200  
 Fresno, CA 93721  
 Contact: Ronald Cummings  
 Phone: (550) 445-6420

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**

**State Clearinghouse Number:** 2008011118

**Project Title:** State Route (SR) 140 Ferguson Slide Talus Removal Completion Project (Streambed Alteration Agreement No. 1600-2020-0020-R4)

**Project Location:** The Project Area constitutes a 700-foot-long segment of the State Route 140 right-of-way where it adjoins, and exists as, the top of the west bank of the Merced River, near post mile 42.0 between the communities of Briceburg and El Portal in Mariposa County, California.

**Project Description:** The Project authorized by this Agreement involves the continued removal of rock talus and debris that sloughed off a steep canyon wall onto the State Route (SR)140 right-of-way during a landslide event prior to 2013. Removal of the talus and debris threatened deposition of the materials into the adjoining Merced River and in 2014 Streambed Alteration Agreement Notification No. 1600-2013-0198-R4 (SAA) was issued. However, work was delayed by another landslide event in 2015 and while work has since resumed, the Project will not be complete by the time the already extended SAA expires in April 2021.

The continued removal of the remaining talus and debris from the 0.36-acre Project Area (a 700-foot-long segment of the right-of-way which varies in width but averages between 23 and 24 feet wide) will ultimately expose the original roadway, shoulder backing, and top of the west bank of the Merced River. Coincidentally, the Project will involve work to repair a slope stabilization netting system which exists over portions of the steep canyon wall above the Project Area.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 2/25/2021 and made the following determinations regarding the above-described project:

1. The project  will /  will not have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
  2.  An environmental impact report /  A negative declaration was prepared by the lead agency for the original project.
  3. Additional mitigation measures  were /  were not made a condition of CDFW's approval of the project.
  4. A mitigation reporting or monitoring plan  was /  was not adopted by CDFW for this project.
  5. A Statement of Overriding Considerations  was /  was not adopted by CDFW for this project.
  6. Findings  were /  were not made by CDFW pursuant to Public Resources Code § 21081(a).
  7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
    - Payment is submitted with this notice.
    - A copy of a receipt showing prior payment was submitted to CDFW.
- Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

## Notice of Determination

DocuSigned by:  
  
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Signature:

Date:

2/25/2021

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: \_\_\_\_\_